

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 24-1135****September Term, 2023****EPA-89FR42932****Filed On:** July 17, 2024

Denka Performance Elastomer LLC,

Petitioner

v.

Environmental Protection Agency and  
Michael Regan, Administrator, United States  
Environmental Protection Agency,

Respondents

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Air Alliance Houston, et al.,  
Intervenors  
-----Consolidated with 24-1228, 24-1246,  
24-1249, 24-1250, 24-1251, 24-1252**BEFORE:** Katsas, Rao, and Childs, Circuit Judges**ORDER**

Upon consideration of the petition for reconsideration of the court's June 26, 2024 order denying petitioner's motion for a stay, it is

**ORDERED** that the petition for reconsideration be denied. In neither the motion for a stay nor the petition for reconsideration has petitioner established that it will be irreparably harmed absent a stay given that it could but has not requested from respondents an extension of the deadline to comply with the rule under review. See Nken v. Holder, 556 U.S. 418, 434 (2009).

**Per Curiam****FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/

Selena R. Gancasz  
Deputy Clerk